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| CLERK US DISTRICT COURT DISTRICT OF NEVADA | |
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7 *Attorneys for Defendants James Brill,*
Cheryl Burson, Eric Burson, Anthony Digiralamo,
8 *Traci Dory, James Figueroa, David Grusman,*
Vincent Hain, David Magnum, Mary Ann Marsh,
9 *Michael Maxfield, Jeffrey Patterson, Roy Plumlee,*
Lavert Taylor, Howard Skolnik, Leo Vath,
10 *Paul Wheelock and Brian Williams*

11
12 **IN THE UNITED STATES DISTRICT COURT**
13 **FOR THE DISTRICT OF NEVADA**

14 PAUL SCOTT KLEIN,

15 Plaintiff,

16 v.

17 CLARK COUNTY SCHOOL DISTRICT, et al.,

18 Defendants.

Case No. 3:08-cv-191-LRH-VPC

**MOTION FOR ENLARGEMENT OF TIME
FOR DEFENDANT BRIAN WILLIAMS TO
RESPOND TO INTERROGATORIES AND
REQUEST FOR PRODUCTION OF
DOCUMENTS**

19 Defendants James Brill, Cheryl Burson, Eric Burson, Anthony Digiralamo, Traci Dory, James
20 Figueroa, David Grusman, Vincent Hain, David Magnum, Mary Ann Marsh, Michael Maxfield, Jeffrey
21 Patterson, Roy Plumlee, Lavert Taylor, Howard Skolnik, Leo Vath, Paul Wheelock and Brian Williams,
22 by and through counsel, Adam Paul Laxalt, Attorney General of the State of Nevada, and Erin L.
23 Albright, Deputy Attorney General, hereby file this motion for enlargement of time for Defendant
24 Brian Williams to Respond to Interrogatories and Request for Production of Documents.

25 This motion is based on the following Memorandum of Points and Authorities and all papers
26 and pleadings on file herein.

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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Defendant Brian Williams requests this Court enlarge the time to respond to Plaintiff's discovery request to July 13, 2018.

II. RELEVANT FACTS

Plaintiff served Defendant Brian Williams with "Plaintiff's Interrogatories and Request for Production of Documents Directed to Defendant Brian Williams, Sr." on May 8, 2018. The discovery requests seek information from June 5, 2007.

The documents necessary to respond to the discovery requests, if any, are in storage. A request for the documents has been made; however, the documents will not be provided to Defendant Brian Williams before the deadline to respond to the discovery requests.

III. ARGUMENT

The Court may enlarge the period of time for an act to be performed after the expiration of the specified period of time in which the act was to be done where the failure to act was the result of excusable neglect. NRCP 6(b)(2). The Supreme Court has used the following guideposts for determining whether neglect is "excusable:" the danger of prejudice to the [non-movant], the length of the delay and its potential impact on judicial proceedings, the reason for the delay, including whether it was within the reasonable control of the movant, and whether the movant acted in good faith." *Pioneer Inv. Svcs. Co. v. Brunswick Assocs. Ltd. P' ship*, 507 U.S. 380, 395 (1993) (footnote omitted) (citing *In re Pioneer Inv. Svcs. Co.*, 943 F.2d 673, 677 (6th Cir. 1991)).


Defendant Brian Williams asserts good cause exists to extend the deadline for him to respond to Plaintiff's discovery requests. The time to respond to the discovery requests has not expired. Defendant Brian Williams seeks an enlargement of time to file to respond to Plaintiff's discovery requests because the documents necessary to respond to the requests, if any, are in storage and will not be provided to defendant prior to the deadline for his discovery responses. Therefore, Defendant Brian Williams respectfully requests this Court extend the deadline to respond to Plaintiff's discovery requests to July 13, 2018. The requested extension is done in good faith and not made for the purposes of delay or to prejudice Plaintiff.

1 **IV. CONCLUSION**

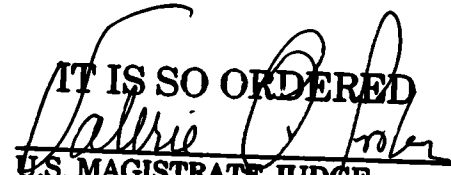
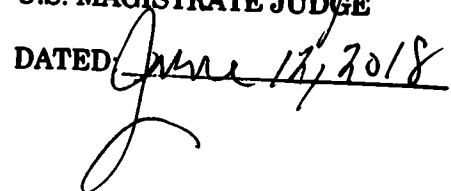
2 Based on the foregoing, Defendant Brian Williams respectfully requests this Court enlarge the
3 time to for him to respond to Plaintiff's discovery requests to July 13, 2018.

4 DATED this 11th day of June, 2018.

5 ADAM PAUL LAXALT
6 Attorney General

7 By: 
8 ERIN L. ALBRIGHT
9 Deputy Attorney General
10 State of Nevada
11 Bureau of Litigation
12 Public Safety Division

Attorneys for Defendants

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15 IT IS SO ORDERED
16 U.S. MAGISTRATE JUDGE
17 DATED: 
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CERTIFICATE OF SERVICE

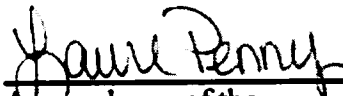
I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 11th day of June, 2018, I caused to be deposited for mailing a true and correct copy of the foregoing, **MOTION FOR ENLARGEMENT OF TIME FOR DEFENDANT BRIAN WILLIAMS TO RESPOND TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**, to the following:

Paul Klein, #30918
High Desert State Prison
P.O. Box 650
Indian Springs, NV 89070

Via email:

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